

PSJ3
Exhibit 468

Message

From: Eric Juhl [EJuhl@NACDS.org]
Sent: 5/13/2016 3:01:16 PM
To: Jackson, Alethia [alethia.jackson@walgreens.com]; Allen Horne [allen.horne@caremarkrx.com]; Ann Walker-Jenkins [ann.jenkins@caremark.com]; Bahou, Elie [elie.bahou@cardinalhealth.com]; Baker, Cassi [Cassi.Baker@cardinalhealth.com]; Beth Zander [elizabetha.zander@searshc.com]; Betsy Hall [betsy.hall@walmart.com] [betsy.hall@walmart.com]; Bobbie Riley [Bobbie.Riley@Albertsons.com]; Brian Files [brian.files@caremark.com]; Bryan Dunwoody [bryan.dunwoody@aholdusa.com]; Carolyn Grant [Carolyn.Grant@cardinalhealth.com]; Carolyn Steinberg [CSteinberg@NACDS.org]; Cesnovar, Casey [casey.cesnovar@walgreens.com]; Charles Painter [charles.painter@albertsons.com]; Charlie.Oltman [Charlie.Oltman@target.com]; Chris Irmischer [chris.irmischer@albertsons.com]; Chris Krese [CKrese@NACDS.org]; Craig Norman [norman.craig@heb.com]; Dan Salemi [Daniel.Salemi@albertsons.com]; Dave Fitzsimmons [DFitzsimmons@NACDS.org]; Dimos, Chris [chris.dimos@mckesson.com]; Don Bell [dbell@NACDS.org]; Dwayne Clark [dwayne.clark@albertsons.com]; Elise Diedrich [Elise.Diedrich@target.com]; Elizabeth Brooks [elizabeth.brooks@caremark.com]; Eric Douglas [edouglas@cvs.com]; Evan Schnur [evan.schnur@walmart.com]; Ferguson, Betsy [Betsy.Ferguson@CVSCaremark.com]; Gary Swearingen [gdsweearingen@costco.com]; Gayle Shields [gayle.shields@ahold.com]; George Poulos [George.Poulos@riteaid.com]; Govt Affairs and Public Policy [GovtAffairsandPublicPolicy@NACDS.org]; Gregg Jones [gjones@aholdusa.com]; 'Ileana.Mcalary@meijer.com' [Ileana.Mcalary@meijer.com] [Ileana.Mcalary@meijer.com]; Isaac Reyes [isaac.reyes@target.com]; Jason Ausili [JAusili@NACDS.org]; Jason Money [JMoney@amerisourcebergen.com]; Jessica Covaci [Jessica.Covaci@albertsons.com]; Jim Tsipakis [jim.tsipakis@supervalu.com]; Joe Montoto [joseph.montoto@wakefern.com]; Jon McArthur [JMcArthur@costco.com]; Josh M. Flum [JMFlum@cvs.com]; Joyce Robertson [jrobertson@fredsinc.com]; Judee Olimpo [judee.olimpo@albertsons.com]; Kate Coler [kate.coler@safeway.com]; Troller, Katie [katharine.troller@walgreens.com]; Kathleen Jaeger [KJaeger@NACDS.org]; Kevin Connor [Kevin.Connor@McKesson.com]; Laura Asbury [laura.asbury@wal-mart.com]; Libby Terry [libby.terry@omnicare.com]; Lindsey Napier [Lindsey.Napier@publix.com]; Lisa Boylan [LBoylan@NACDS.org]; Lisa Chidester [lisa.chidester@cardinalhealth.com]; Martin, Andrew [Andrew.Martin2@meijer.com]; Mary Diggs [MDiggs@NACDS.org]; Mary Ellen Kleiman [MKleiman@nacds.org]; Matt Cross [matt.cross@albertsons.com]; Matthew Shiraki [Matthew.Shiraki@mckesson.com] [Matthew.Shiraki@mckesson.com]; Melissa Schulman [melissa.schulman@cvshealth.com]; Michael Mone [michael.mone@cardinalhealth.com]; Mike Ayotte [MJAyotte@cvs.com]; Mike Sargent [mdsargent@cvs.com]; Rebecca McGrath [rebecca.mcgrath@cardinalhealth.com]; Ronald Richmond [ronald.richmond@supervalu.com]; Sara Roszak [SRoszak@nacds.org]; Sean Callinicos [sean.callinicos@cardinalhealth.com]; Shannon J. Woods [sjwoods@hy-vee.com]; Sheree Barton [sheree.barton@publix.com]; Stacie Heller [sheller@amerisourcebergen.com]; Steve Anderson [SAnderson@NACDS.org]; Gregory, Steven [steven.gregory@walgreens.com]
Subject: NACDS Policy Council
Attachments: Draft May 18 Senate Commerce Coalition Letter.pdf

Dear NACDS Policy Council "CC" Members: The following email was sent to the NACDS Policy Council members:

From: Eric Juhl
Sent: Friday, May 13, 2016 3:59 PM
To: 'Adrian Durbin (adrian.durbin@mckesson.com)'; 'Anthony Provenzano'; 'Bradley Dayton (bdayton@aholdusa.com)'; 'Chuck Reed'; 'Dale Masten'; 'Dennis Wiesner'; 'Ed.Kaleta@walgreens.com'; 'Fred Ottolino'; 'Galen Perkins (gperkins@fredsinc.com)'; 'Gates, Rick'; 'George Chapman'; 'Gregory, Steven'; 'Jeff Loesch'; 'Jennifer Speares'; 'John Carlo'; 'John Fegan'; 'Jonathan Thacker'; 'Karen Mankowski'; 'Kristin Williams, R.Ph.'; 'Mark Pilkington'; 'Mark Polli'; 'Miaja Cassidy'; 'Mike Duteau'; 'Mike Podgurski'; 'Schlaifer, Marissa (Marissa.Schlaifer@CVSHealth.com)'; 'Steve McCann'; 'Susanne Hiland'; 'Tim Weber'; 'Tim Weippert'; 'Tom Gibbons'; 'Vic Curtis'; 'Yong Choe'
Cc: Steve Anderson; Chris Krese; Don Bell; Mary Ellen Kleiman; Carol Kelly; Tom O'Donnell; Sandra Guckian; Public Policy
Subject: NACDS Policy Council

Dear NACDS Policy Council Members:

Although we did not have a call this week. We do have action items and important information for you, below and attached.

Action items

- **Federal Drug Take-Back Legislation:** Congresswoman Louise Slaughter is moving forward with developing legislation to expand drug take-back. She initially filed a bill that would have mandated take-back receptacles in all stores, but we were able to persuade her to hold off on moving forward with that particular bill for now. Nonetheless, she wants us to work with her to develop legislation that will ultimately expand drug take-back. We are not clear as yet on her timing for the bill but she wants stakeholder support. Accordingly, her staff has asked us several questions as the process moves forward. **Please respond to the following requests by COB, Friday, May 20.**

1. What are the federal regulatory obstacles to implementing take-back receptacles or mail-back programs? We have developed the following list. **Please add additional obstacles or burdens that you believe you would face in implementing a take-back or mail-back program under the DEA's drug take-back rule.**

- It is difficult for pharmacies to ensure that only ultimate users and authorized non-registrants deposit controlled substances in the receptacles.
- The requirement that prevents pharmacy staff from handling deposited controlled substances. What happens if someone doesn't put the drug in the receptacle, but leaves it outside of the container? What happens if someone drops a personal item in the receptacle and wants it back?
- The requirement that two employees install, remove and seal the liners and observe or load the filled liner onto the transport vehicle.
- It will be difficult for some pharmacies to find transport services that will have two employees manning the truck as required by the rule.
- The pharmacy has no way to ensure that illegal or hazardous substances are not disposed of or to ensure that other prohibited products are not disposed of, such as aerosols and mercury thermometers.
- The requirement that pharmacies track the number of unused mail-back envelopes and date made available is unnecessarily burdensome.
- The requirement that pharmacies track the date each unused liner was acquired, its size, and date it was installed is unnecessarily burdensome.

2. What obstacles do state laws or regulations pose to implementing a take-back or mail-back program under the DEA rule?

3. Please forward to us any materials that you have discussing how mail-back programs operate, their effectiveness and how mail-back technology operates (for example, envelopes that deactivate the drugs placed into them).

- **Letter in Support of TCPA Hearing:** NACDS has been asked to sign on to the attached letter in support of a Senate hearing to examine class action litigation abuses under the Telephone Consumer Protection Act (TCPA). We recommend signing on to the letter because of the need to limit class action lawsuits that have arisen out of this law. **Please advise by COB, Monday, May 16 if you can any concerns with NACDS signing on to the letter.**

- As a reminder, **The June Policy Council Meeting will be held on Wednesday, June 15** at the NACDS office in Arlington, VA. **We urge you to participate in our June 16 Capitol Hill lobby visits while you are here in DC for the Policy Council meeting.** To register for the meetings and make your hotel reservations please follow this link: <https://form.jotform.com/32974216393965>. At the bottom of the registration form there is an additional link for the hotel reservation. If you have any questions please contact Michael Angeloni via email at mangeloni@nacds.org or by phone at (703) 837-4127. **Reservations must be made by May 13 to ensure the discounted rate.**

Important Information

- **Medicaid Activity and Status Chart – UPDATE *** CONFIDENTIAL – FOR NACDS Policy Council Members Only**

***: This was provided only to NACDS Policy Council members.

- **House Opioid Legislation:** The House of Representatives passed opioid legislation aimed at combatting prescription drug abuse and diversion. NACDS worked with House members, committees and leadership to ensure that the legislation, while helping combat the abuse and diversion of these medications, also protects access for those beneficiaries who require such prescriptions. Included are the following bills of interest to community pharmacy:
 - H.R. 4599, Reducing Unused Medications Act- Legislation would amend the Controlled Substances Act to permit partial fillings of prescriptions for Schedule II controlled substances. NACDS was successful in having language removed from the legislation that would have required dispenser notification of every partial fill
 - H.R. 4641, Establishing An Inter-Agency Task Force on Best Practices for Pain Management – Legislation would create a task force charged with developing best practices for pain management and prescribing pain medication. At the request of NACDS, pharmacies were added to the list of Task Force members.

Additionally, NACDS was successful in having language removed from H.R. 953, the Comprehensive Addiction and Recovery Act, which would have required states to require pharmacists to check their state prescription drug monitoring program (PDMP) before filling every prescription for a controlled substance in order to be eligible for federal grant funding. The modified legislation passed the House as H.R. 5046, the Comprehensive Opioid Abuse Reduction Act of 2016. H.R. 5046 also included an amendment that allows states to use grant funds for drug take back programs.

Also, H.R. 5194 was introduced on Wednesday by Rep. Earl Blumenauer (D-OR) which would provide a tax credit to eligible entities equal to 30% of their drug disposal program costs. Drug disposal costs include amounts paid or incurred by an eligible entity for establishing or maintaining a drug disposal site, including amounts for materials for such site, outreach and training about the use of such site, and safe disposal of drugs collected at such site. The tax credit applies to manufacturers, distributors and dispensers. During drafting of the legislation, NACDS worked with Rep. Blumenauer's office to discuss our views on take back programs and drug disposal.

Have a great weekend,

Eric

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Director, Federal Public Policy

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National Association of Chain Drug Stores (NACDS)

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